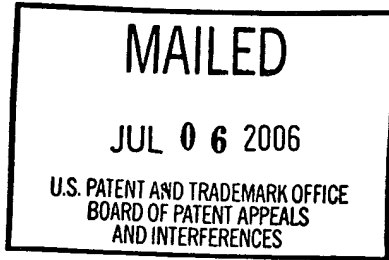


**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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Ex parte BRIAN FRANCIS GRAY  
and RYO MINOGUCHI

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Application No. 10/009,087

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**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

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This application was electronically received at the Board of Patent Appeals and Interferences on July 5, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

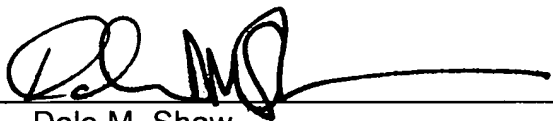
The Examiner's Answer mailed January 22, 2006 is defective because the prior art relied upon is not stated in paragraph 8 in the Examiner's Answer. See the Manual of Patent Examining Procedure (MPEP) §1207.02. This is needed to process the case. Appropriate correction is required.

Application No. 10/009,087

Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art relied upon in paragraph 8 in the Examiner's Answer, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
Dale M. Shaw  
Deputy Chief Appeal Administrator  
(571) 272-9797

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